

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.09/311,176
Filing Date May 13, 1999
Inventorship Feinleib et al.
Applicant Microsoft Corporation
Attorney's Docket No. MS1-309US
Title: Automated Configuration of Computing System Using Zip Code Data

**PETITION IN RESPONSE TO NOTICE TO FILE MISSING PARTS OF
APPLICATION**

To: Commissioner of Patents and Trademarks,
Washington, D.C. 20231

From: Lewis C. Lee (Tel. 509-324-9256; Fax 509-323-8979)
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In a Notice mailed June 16, 1999, the Office states that the oath or declaration is missing or unsigned from the above cited application. The absence of these pages appears to be the result of accidental mishandling on the part of the Office.

Applicant filed the entire application, including the Executed Declaration, in the Patent and Trademark Office on May 13, 1999. As proof of this deposit, Applicant received a date-stamped post card receipt evidencing that the Patent Office received on May 13th, among other papers, the "Executed Declaration." The application papers were submitted with a proper Certificate of Express Mailing pursuant to 37 C.F.R. § 1.10.

In addition, the Notice also states that the statutory basic filing fee and additional claim fees are also missing. The Sworn Transmittal Letter and

1 Certificate of Mailing includes a statement which authorizes the Commissioner to
2 "charge payment of fees or credit overpayments to Deposit Account No. 50-0463
3 in connection with any patent application filing fees under 37 CFR 1.16, and any
4 processing fees under 37 CFR 1.17."

5 A copy of the pertinent papers submitted to the Patent Office on May 13,
6 1999, accompany this Petition. The enclosed papers include:

- 7 1. Post card receipt stamped by the PTO Mail Room evidencing that
8 the executed declaration was received on May 13, 1999.
- 9 2. Sworn Transmittal Letter including Certificate of Express Mailing,
10 evidencing that the executed declaration was properly filed in
11 accordance with the Regulations and that the Commissioner was
12 authorized to charge fees to the Deposit Account.

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14 In addition, Applicant submits herewith a complementary copy of the
15 executed Declaration.

16 No petition fee or surcharge is necessary in this case as the error resides
17 with the Office. Nevertheless, the Commissioner is authorized to charge any
18 required fee to our Deposit Account No. 50-0463.

19
20 Respectfully Submitted,

21
22 Date: June 23, 1999

23 By: 

24 Lewis C. Lee
25 Reg. No. 34,656
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